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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,017	12/29/2000	Tal Isaac Lavian	10360-056001 / BA0366CIP	1257
26181	7590	05/20/2004	EXAMINER	
FISH & RICHARDSON P.C. 3300 DAIN RAUSCHER PLAZA MINNEAPOLIS, MN 55402			CASIANO, ANGEL L	
			ART UNIT	PAPER NUMBER
			2182	6

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753,017

Applicant(s)

LAVIAN ET AL.

Examiner

Angel L. Casiano

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11 and 13-21 is/are rejected.
- 7) ☒ Claim(s) 8-10 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The present Office action is in response to application filed 29 December 2000.
2. Claims 1-21 are pending.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Figure 11, "1100". A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

5. Claim 3 is objected to because of the following informalities:
 - Claim 3 recites "wherein the *class* and *methods*..." However, claim 2 discloses object-oriented *classes* and *method calls*. The claim language should be consistent.
- Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 5-6, 13-16, and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. [US 6,625,590 B1].

Regarding claim 1, Chen et al. teaches a method of managing a network device (see Title; Abstract; col. 1, lines 27-30). In addition, the reference provides a command-line interface application interface compatible with CLI of a network device (see Abstract; col. 2, lines 2-6; col. 7, lines 60-67). Chen et al. also teaches receiving an instruction and generating a command in respond, where the command is compatible with the CLI of the network device (see col. 1, lines 51-56).

As for claim 5, Chen et al. teaches a command in the CLI of the network device capable of performing configuration of a network device (see col. 2, line 62; col. 5, lines 17-18). In addition, the cited art teaches specification of network management operations to be performed according to the command (see col. 1, lines 66-67).

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Regarding claim 6, Chen et al. teaches a network system having network management capabilities (see Abstract). In addition, the cited art discloses two network devices, where one of the network devices is capable of executing applications that use a command-line interface application interface. This device generates commands compatible with the other network device ("target device") and transmits these commands for execution (see Figures 2 and 3; col. 8, lines 5-34).

Regarding claim 13, Chen et al. teaches a method of managing a network device (see Title; Abstract; col. 1, lines 27-30). In addition, the reference provides a command-line interface application interface compatible with CLI of a network device (see Abstract; col. 2, lines 2-6; col. 7, lines 60-67). Chen et al. also teaches receiving an instruction and generating a command in respond, where the command is compatible with the CLI of the network device (see col. 1, lines 51-56). Chen et al. exposes transmitting commands over a network to the network device (see Figures 2 and 3) and processing these commands on the network device.

As for claim 14, Chen et al. teaches managing aspects of the operation of the network device (see col. 2, lines 50-51).

As per claim 15, the prior art teaches results from the processing of the commands on the network device over the network (see Figure 3, "Response(s)").

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As for claim 16, Chen et al. teaches a network system having network management capabilities (see Abstract). In addition, the cited art discloses two network devices, where one of the network devices is capable of executing applications that use a command-line interface application interface. This device generates commands compatible with the other network device ("target device") and transmits these commands for execution (see Figures 2 and 3; col. 8, lines 5-34).

Regarding claims 18-20, the prior art cited in the present Office action teaches method and system for managing a network device (see previous rejections). The present claims are directed to an *apparatus* for managing a non-application enabled network device. The prior art teaches the limitations for the system and method. Therefore, the limitations corresponding to the apparatus for implementing the management are also disclosed by the reference. These claims are rejected under the same basis.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-3, 4, 7, 17, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. [US 6,625,590 B1] in view of Blumenau et al. [US 6,665,714 B1].

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As for claims 2 and 3, Chen et al. teaches object implementation (see col. 3, lines 22-42). However, the cited reference does not teach method calls or class and methods compatible with the Java object-oriented programming language, as claimed. Regarding these limitations, Blumenau et al. teaches a method of managing a network device (see Abstract). The cited reference discloses a programming interface. The cited interface is compatible with the Java-object oriented programming language (see col. 18, lines 33-34). Accordingly, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to specify an interface, as implemented in software (see Blumenau et al., col. 18, line 25), for the prior art method.

As for claim 4, Chen et al. does not teach object-oriented classes or selecting from a set of classes including a session management class, an input-output class, a configuration class, and a macro-generation class. Blumenau et al. teaches a method of managing a network device (see Abstract). The cited reference discloses a programming interface. The cited interface is compatible with the Java-object oriented programming language (see col. 18, lines 33-34). In addition, the secondary reference (Blumenau et al.) teaches session management in a method for managing a network device (see col. 18, lines 40-61).

As per claim 7, Chen et al. teaches object implementation in a network management system (see col. 3, lines 22-42). However, the cited reference fails to teach "object-oriented applications" compatible with the Java object-oriented programming language, as claimed. Regarding these limitations, Blumenau et al. teaches network management (see Abstract). The cited reference

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discloses a programming interface. The cited interface is compatible with the *Java*-object oriented programming language (see col. 18, lines 33-34). Accordingly, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to specify an interface, as implemented in software (see Blumenau et al., col. 18, line 25), for the prior art method.

As per claim 17, Chen et al. a network management system (see col. 3, lines 22-42). However, the reference does not teach “object-oriented applications” compatible with the *Java* object-oriented programming language, as claimed. Regarding these limitations, Blumenau et al. teaches network management (see Abstract), where an interface is compatible with the *Java*-object oriented programming language (see col. 18, lines 33-34). Accordingly, one of ordinary skill in the art would have been motivated to combine the references in order to specify an interface, as implemented in software (see Blumenau et al., col. 18, line 25), for the prior art method.

Regarding claim 21, the prior art cited in the present Office action teaches method and system for managing a network device (see previous rejections). The present claim is directed to an *apparatus* for managing a non-application enabled network device, processing Java instructions. The combination of prior art teaches the limitations for the system and method. This claim is rejected under the same rationale.

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10. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schnell [US 6,199,133 B1] in view of Chen et al. [US 6,625,590 B1].

Regarding claim 11, Schnell teaches a serial interface device (see Abstract) in a system for enabling management of network devices. In addition, the cited reference teaches a storage device ("memory"), a port for connecting to a network, a serial port (see Figure 4, "410"), and a processor (Figure 4, "400"). The cited reference teaches enabling a network device in response to processing instructions (see col. 9, lines 39-52). However, the cited prior art does not teach "a processor" being "capable of processing the instruction stored in the storage area of the RS-CLI device that at least generates a command compatible with a CLI of the non-application enabled network device in response to processing the instruction stored in the storage area", as claimed. Regarding this limitation, Chen et al. teaches CLI for network management. The cited art also discloses two network devices, where one of the network devices is capable of executing applications that use a command-line interface application interface. This device generates commands compatible with the other network device ("target device") and transmits these commands for execution (see Figures 2 and 3; col. 8, lines 5-34). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to provide *commands for specifying a network management operation to be performed* (see Chen et al., Abstract). This would have been a motivation to combine the prior art, since Schnell teaches "management of network devices".

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Allowable Subject Matter

11. Claims 8-10 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

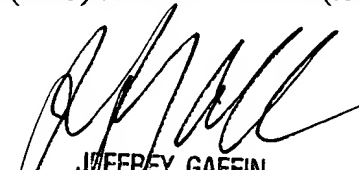
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel L. Casiano whose telephone number is 703-305-8301. The examiner can normally be reached on 9:30-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

alc
13 May 2004


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